

**STATE BOARD MEETING DATE**

August 26, 2013

**SUBJECT:** Consideration of Revocation for **George Carmen**, Case No. **C-2011-082**

**SUBMITTED BY:** Charles Easaw, Chief Investigator, Investigative Unit, State Board of Education

**MANAGEMENT TEAM REVIEW:** August 8, 2013

**BACKGROUND INFORMATION:**

**George Carmen** holds a Provisional Structured English Immersion Certificate valid through June 20, 2014 and a Standard Secondary Education Certificate valid through August 25, 2017.

In February, 2009, while working in the Sanders Unified School District as the varsity basketball coach for the boys' basketball team, it was alleged that Mr. Carmen engaged in a verbal altercation with a student athlete and used profanity toward that student athlete. As a result of this allegation, the interim principal issued a letter of warning to Mr. Carmen.

During the 2011-2012 school year, the Investigative Unit received allegations from the Casa Grande Union High School District ("District") that Mr. Carmen made inappropriate comments to a female student. The allegations included that Mr. Carmen repeatedly asked a female student to go jogging with him and asked her to go to lunch with him. The student alleged that on or about April 8, 2011, she asked him why he was pursuing her. The student alleged that Mr. Carmen responded that "when he got her alone, she would understand how much he cared for her."

Mr. Carmen fully cooperated with the District's investigation and denied making the statements as alleged by the female student.

Separately, the District reported that on or about May 24, 2011, a male student ("Student C") handwrote a note alleging that Mr. Carmen was causing him "stress and annoyance."

On May 25, 2011, Student C, in a school Incident Report/Referral, alleged that Mr. Carmen targeted him to pick on and to make fun of. In support of this allegation, Student C reported that Mr. Carmen asked him to remove his backpack while in classes. When the student refused, he was asked to leave the classroom. Student C alleged that Mr. Carmen responded to the student's subsequent apology by allegedly saying "I don't give a shit, I don't want to see your face around here!"

Two other students (Students "D" and "E", for clarity) alleged that they heard Mr. Carmen talking to Student C. In a separate Incident Report/Referral, they wrote that Mr. Carmen said to Student C "I can't wait until school's out. Ima (sic) have him and find you. My lil (sic) brother's coming home tomorrow. Ima (sic) have him come and find you. Which way do you walk home?"

Mr. Carmen denied making any threatening remarks to Student C. The Casa Grande Police Department investigated the matter by interviewing Mr. Carmen and Student C's father. Student C's father refused to give the police permission to interview Student C. The Casa Grande City Attorney declined

prosecution stating that the conduct does not appear “clear enough nor serious enough to rise to the level of criminal action.” It was also determined that Students C, D, and E each received a failing grade in Mr. Carmen class.

On June 12, 2013, the Professional Practices Advisory Committee (“PPAC”) held a hearing on the complaint. The PPAC made the following findings and conclusions of law:

- The State Board of Education has not proven by a preponderance of substantial, credible and reasonable evidence that Mr. Carmen engaged in a pattern of conduct for the sole purpose or with the sole intent of embarrassing or disparaging a pupil.
- There is insufficient evidence to establish that Mr. Carmen, while at Sanders Unified School District, cursed as a student player or made threatening remarks or threatening mannerisms toward him.
- The State Board of Education has not proven by a preponderance of substantial, credible and reasonable evidence that Mr. Carmen made any sexual advance towards a pupil or child – verbal, written, or physical.
- The State Board of Education has not established by a preponderance of the evidence that Respondent should be subjected to any disciplinary action by the Board.

By a vote of 5 to 0, the PPAC recommended that no disciplinary action be taken against Mr. Carmen’s certificates by the State Board of Education because there is insufficient evidence to support that Mr. Carmen engaged in the alleged misconduct.

**BOARD ACTION REQUESTED: [ ] INFORMATION [X] ACTION/DESCRIBED  
BELOW:**

That the Board **accepts** the recommendation of the PPAC to take **no disciplinary action** against Mr. Carmen’s certificates.

**ATTACHMENTS: YES [X] NO [ ]**